

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION - COLUMBUS

UNITED STATES OF AMERICA

Plaintiff,

vs.

THOMAS ROMANO,

Defendant

Case No. 2:19-cr-202

Judge Michael H. Watson

JOINT NOTICE REGARDING DISCOVERY

The United States of America, through its counsel of record, the Criminal Division, Fraud Section of the United States Department of Justice, and the defendant, through his counsel of record, hereby inform the Court, pursuant to the Court's Opinion and Order entered on August 18, 2022 (ECF 93), that the parties have reached an agreement on discovery as follows:

1. The Government will produce to the defendant communications, information and data sent or received by Criminal Division, Fraud Section employees including, but not limited to Christopher Jason and Andrew Barras of the Health Care Fraud Unit regarding Dr. Timothy Munzing's testimony in the matter of Craig S. Rosenblum, M.D., Department of Drug Enforcement Administration Docket Number 19-38, including the form of those communications, when they were made, and by whom (the "Materials").

2. The parties agree that the Government's disclosure to the defendant of the Materials does not constitute a waiver of any applicable privilege(s) or protection(s) from discovery that may exist in this case or any other federal or state proceeding, case, matter or investigation. The parties agree to enter into a stipulation for a protective order pursuant to Federal Rule of Evidence 502(d) to be filed with the Court to govern the Materials.

3. The parties have conferred regarding this Joint Notice and counsel for the defendant additionally requests that the Government provide documentation demonstrating (1) when the DOJ first came into possession of the Decision and transcript, (2) how/where those materials were stored, and (3) how Christopher Jason accessed those materials on August 12th and 13th, 2022. The Government believes its planned production of the Materials described in paragraph 1 will adequately address these requests. Should counsel for defendant have these additional requests following the production of the Materials, the parties will continue to confer.

Respectfully submitted,

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